

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
(Boston Division)

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,

Plaintiff,

v.

STEVEN E. NOTHERN,

Defendant.

Civil Action No. 05-10983 (NMG)

ORAL ARGUMENT REQUESTED

**DEFENDANT STEVEN NOTHERN'S RENEWED
MOTION TO COMPEL PRODUCTION OF DOCUMENTS**

Pursuant to Federal Rule of Civil Procedure 37(a), Local Rule 37.1, and the orders of the Court (Sorokin, M.J.) on August 15 and October 3, 2006, defendant Steven E. Nothern respectfully renews his motion (Docket Doc. # 28) for an order (a) compelling the plaintiff Securities and Exchange Commission to produce all relevant documents requested by Nothern that are held by the SEC, the Treasury Department, the Justice Department, and any other federal agency, and (b) awarding Nothern his reasonable expenses, including attorneys' fees, incurred in making the motion.

In support of this motion, Nothern relies on the memoranda and declarations previously filed (Docket Doc. ## 30, 31, 36, & 37) and the memorandum of law filed herewith.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(d), Steven E. Nothern hereby requests the Court to schedule an oral argument in connection with his Renewed Motion to Compel.

STEVEN E. NOTHERN

By his attorneys,

/s/ John A. Shope
Nicholas C. Theodorou, BBO #495730
John A. Shope, BBO #562056
Robert E. Toone, BBO # 663249
FOLEY HOAG LLP
155 Seaport Boulevard
Boston, MA 02210
(617) 832-1000
jjjs@foleyhoag.com

Dated: October 30, 2006